(40)

No. 22O105 ORG
Title: Kansas, Plaintiff
v.
Colorado
Docketed: December 16, 1985

~~Date~~~	~~~~~~~~Proceedings and Orders~~~~~~~~
Dec 16 1985	Motion for leave to file a bill of complaint filed.
Feb 14 1986	Colorado's Brief in opposition to Motion for Leave to file Complaint filed.
Feb 19 1986	DISTRIBUTED for Conference of March 7, 1986 (Motion for leave to file Bill of Complaint filed)..
Mar 3 1986	Motion for injunctive relief or an order to compel defendant to comply with Arkansas River Compact.
Mar 3 1986	Reply brief filed by plaintiff. (Also brief in support of above motion).
Mar 5 1986	DISTRIBUTED for Conference of March 21, 1986..
Mar 13 1986	Opposition filed by Colorado.
Mar 18 1986	Reply brief filed by Kansas.
Mar 24 1986	The motion for leave to file a Bill of Complaint is GRANTED. Defendant is allowed 60 days within which to file an answer.
May 22 1986	Answer to complaint, counterclaim, and motion for appointment of Special Master received.
May 27 1986	DISTRIBUTED for Conference of June 12, 1986..
Jun 11 1986	Kansas's reply to counterclaim filed.
Jun 13 1986	REDISTRIBUTED for Conference of June 19, 1986. (Answer to complaint, counterclaim and motion for appointment of Special Master.).
Jul 7 1986	Ordered that the Hon. Wade H. McCree, Jr., of Ann Arbor, Michigan, is appointed as Special Master.
Jul 21 1986	Oath of Special Master received.
Oct 19 1987	It is ordered that Arthur L. Littleworth, Esquire, of Riverside, California, be appointed Special Master in place of Hon. Wade H. McCree, Jr., deceased. The Special Master shall have the authority to fix the time and conditions for the filing of additional pleadings and authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem it necessary to call for. The Special Master is directed to submit such reports as he may deem appropriate. The compensation paid to his legal, technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses, including travel expenses,shall be charged against and be borne by the parties in such proportion as the court may hereafter direct.
Nov 2 1987	Oath of the Special Master.
Feb 29 1988	Joint motion for approval of expenses filed. (NP).
Feb 29 1988	DISTRIBUTED for Conference of March 4, 1988. (Joint motion for approval of expenses)..
Mar 7 1988	The joint motion for approval of expenses incurred by Special Master Wade H. McCree, Jr., deceased, is GRANTED and the allocation set forth in the motion is approved.
Nov 23 1988	Motion of Special Master for interim fees and expenses filed.
Nov 25 1988	Response to above motion filed by Kansas.

Nov 25 1988 Response to above motion filed by Colorado.

Nov 28 1988 DISTRIBUTED for Conference of Dec. 2, 1988. (Motion of Special Master for interim fees and expenses)..

Dec 5 1988 The Motion of the Special Master for award of interim fees and expenses is GRANTED and the allocation set forth in the motion is approved. This amount is to be paid equally by the parties.

Jan 28 1989 Motion to refer to Special Master motion for leave to amend complaint is filed.

Feb 1 1989 DISTRIBUTED for Conference of Feb. 17, 1989. (Above Motion)..

Feb 21 1989 The Motion to refer to the Special Master the Motion for leave to amend to complaint is GRANTED.

Nov 13 1989 Motion of Special Master for interim fees and expenses filed.

Nov 13 1989 First Amended Complaint filed.

Nov 15 1989 DISTRIBUTED for Conference of Dec. 1, 1989. (Motion of Special Master for interim fees and expenses and also First Amended Complaint)..

Nov 25 1989 Consent thereto filed by Colorado. (D).

Dec 4 1989 The motion of the Special Master for award of interim fees and expenses is GRANTED and the Special Master is awarded a total of $83,082.76 to be paid by Kansas, Colorado and the United States pursuant to the allocation order filed by the Special Master on Oct. 9, 1989.

Dec 13 1989 Colorado's answer to the First Amended Complaint and Counterclaim filed.

Oct 12 1990 Motion of the Special Master for intrim fees and expenses filed.

Oct 15 1990 DISTRIBUTED for Conference of Oct. 26, 1990..

Oct 29 1990 The motion of the Special Master for interim fees and expenses is GRANTED and the Special Master is awarded $75,973.75 for the period November 1, 1989 through September 16, 1990, to be paid by the parties as follows: 40% by Kansas, 40% by Colorado and 20% by the United States. Opinion by Justice Blackmun respecting award of fees and expenses.

Jun 27 1991 Motion of the Special Master for interim fees and expenses.

Jul 30 1991 Response by Colorado filed.

Aug 5 1991 Response by Kansas filed.

Nov 4 1991 Further information requested of the Special Master by the Court.

Dec 6 1991 Further information filed by Special Master.

Jan 13 1992 Motion of the Special Master for Interim Fees and Expenses is GRANTED and the Special Master is awarded $429.457.39 to be paid in accordance with the order of Oct. 9, 1989. Justice Thomas took no part in the consideration or decision of this case.

Jun 30 1992 Motion of the Special Master for Interim fees and expenses filed.

Oct 5 1992 The motion of the Special Master for award of interim fees and reimbursements of expenses is GRANTED and the Special Master is awarded a total of $244,063.47 to be paid as follows 40% by Kansas, 40% by Colorado and 20% by the United States.

Apr 19 1993 Motion of Special Master for award of compensation and expenses (period of June 22 - Feb. 28, 1993).

Apr 19 1993 DISTRIBUTED for Conference of April 23, 1993 (above motion).

Apr 26 1993 ORDER: The motion of the Special Master for award of interim fees and reimbursement of expenses for the period of June 22, 1992 through February 28, 1993 is GRANTED and the Special Master is awarded a total of $153,042.26 to be paid as follows: 40% by Kansas, 40% by Colorado and 20% by the United States.

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Feb 22 1994 Motion of Special Master for Interim Fees and Expenses filed.

Mar 7 1994 ORDER: The motion of the Special Master for interim fees and reimbursement of expenses for the period March 1, 1993 through February 7, 1994 is granted and the Special Master is awarded a total of $202,934.15 to be paid as follows: 40% by Kansas, 40% by Colorado and 20% by the United States.

Jul 29 1994 Report of Special Master (3 volumes) and Appendix received.

Aug 3 1994 Report of Special Master distributed. September 26, 1994.

Aug 5 1994 Pleading index received (Special Master).

Aug 26 1994 Motion of Special Master for Interim Fees and Expenses filed. (NP)

Oct 3 1994 ORDER: The motion of the Special Master for interim fees and expenses is granted and the Special Master is awarded $92,240.78 to be paid a follows: 40% by Kansas, 40% by Colorado and 20% by the United States. The Report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed by the parties within 45 days. Reply briefs, if any, may be filed by the parties within 30 days.

Nov 17 1994 Exceptions of Kansas filed.

Nov 17 1994 Exceptions of Colorado filed.

Nov 17 1994 Brief of Wyoming as amicus curiae filed.

Dec 14 1994 Time to file all replies to the exceptions to the Special Master extended to and including January 3, 1995 for all parties.

Dec 30 1994 Colorado's reply brief filed.

Jan 3 1995 Brief for the United States in response to the exceptions of Kansas and Colorado filed.

Jan 3 1995 Kansas' reply opposing Colorado's Exceptions filed.

Jan 4 1995 DISTRIBUTED for Conference of (Jan. 20, 1995 Conf).

Jan 23 1995 ORDER: The Exceptions to the Report of the Special Master are set for oral argument in due course.

Jan 27 1995 Motion of United States for divided argument filed. (NP)

Jan 30 1995 SET FOR ARGURMENT TUESDAY, MARCH 21, 1995. (1ST CASE).

Jan 30 1995 Motion of Kansas for divided argument filed.

Jan 30 1995 Motion of Colorado for divided argument filed.

Feb 1 1995 CIRCULATED.

Feb 9 1995 Response of Kansas to motions of United States and Colorado for divided argument filed.

Feb 21 1995 ORDER: The motion of Kansas for divided argument is granted and the time is allotted as follows: Kansas - 30 minutes, Colorado - 20 minutes, the United States - 10 minutes. The motion of Colorado for divided argument is denied. The motion of the Solicitor General for divided argument is denied.

Mar 21 1995 ARGUED.

May 15 1995 EXCEPTIONS OVERRULED, AND CASE REMANDED. Rehnquist, C.J., delivered the opinion for a unanimous Court.

Jun 14 1995 CERTIFIED COPY OF ORDER SENT TO SPECIAL MASTER.

Nov 20 1995 Motion of Special Master for Interim Fees and Expenses filed. (NP)

Dec 11 1995 ORDER: The motion of the Special Master for fees and reimbursement of expenses for the period August 1, 1994, through November 1, 1995, is granted and the Special Master is awarded a total of $39,132.75 to be paid as follows: for the period August 1, 1994

	through July 31,1995 a total of $21,518.19 to be paid 40% by Kansas, 40% by Colorado and 20% by the United States; for the period August 1, 1995 through November 1, 1995 a total of $17,614.56 to be paid equally by Kansas and Colorado.
Nov 4 1996	Motion of Special Master for interim fees and expenses filed. (NP)
Dec 2 1996	Motion for fees and expenses GRANTED
Sep 9 1997	Second Report of the Special Master received.
Oct 6 1997	The Second Report of the Special Master is received and ordered filed. Exceptions to the Report with supporting briefs may be filed within 45 days. Replies, if any, with supporting briefs may be filed within 30 days.
Oct 27 1997	Waiver of Kansas to file exceptions filed. (NP)
Nov 20 1997	Exceptions of Colorado to Report of Special Master filed.
Nov 24 1997	Motion of Special Master for fees and expenses filed. (NP)
Nov 25 1997	Above motion distributed (12/12/97).
Dec 15 1997	Motion of the Special Master for fees and reimbursement of expenses is granted, and the Special Master is awarded a total of $114, 817.19 for the period October 19, 1996, through September 9, 1997, to be paid equally by Kansas and Colorado.
Dec 22 1997	Reply brief of Kansas filed.
Dec 22 1997	Brief of United States in opposition to Exceptions of Colorado filed.
Jan 20 1998	The exceptions of Colorado to the Second Report of the Special Master are overruled without prejudice to Colorado's Right to renew those exceptions at the conclusion of the Special Master's redemial proceedings.
Mar 12 1999	Motion of Special Master for fees and reimbursement of expenses filed.
Mar 17 1999	Motion of Special Master distributed for Conference April 2, 1999.
Mar 23 1999	Letter of consent from Colorado received.
Mar 29 1999	Letter of consent from Kansas received.
Apr 5 1999	Motion for fees and reimbursement of expenses GRANTED
Feb 18 2000	Motion of the Special Master for award of interim fees and expenses filed.
Feb 23 2000	DISTRIBUTED for Conference of March 17, 2000.
Mar 20 2000	Motion of the Special Master for fees and reimbursement of expenses is granted and the Special Master is awardeda total of $112,783.95 for the period March 3, 1999, through January 28, 2000, to be paid equally by the parties.
Aug 31 2000	Third Report of the Special Master and one volume appendix received.
Sep 13 2000	DISTRIBUTED for Conference of October 6, 2000.
Oct 10 2000	Third Report of Special Master received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days.
Nov 2 2000	Motion of Special Master for Interim Fees and Expenses filed.
Nov 24 2000	Exceptions of Colorado to the Third Report of the Special Master filed.
Nov 24 2000	Exceptions of Kansas to the Third Report of the Special Master filed.
Nov 27 2000	ORDER: Motion of the Special Master for fees and reimbursement of expenses is granted, and the Special Master is awarded a total of $134,165.44 for the period February 1, 2000, through October 15, 2000, to be paid equally by the parties.
Dec 18 2000	Time to file all replies to the Exceptions to the Special Master extended to and including January 3, 2001.

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Jan 3 2001	DISTRIBUTED for Conference of January 19, 2001.
Jan 3 2001	Brief for the United States in opposition to Exceptions of Kansas and Colorado filed.
Jan 3 2001	Colorado's reply brief in opposition to Kansas' Exception to the Third Report of the Special Master filed and distributed.
Jan 3 2001	Reply brief of Kansas opposing Exceptions of Colorado filed and distributed.
Jan 4 2001	Kansas's response to Colorado's motion filed.
Jan 17 2001	Motion of Colorado for leave to file a reply to the brief of the United States filed.
Jan 22 2001	Motion of Colorado for leave to file a reply to the brief of the United States is granted, the parties are allowed to and including February 2, 2001, within which to file replies. The Exceptions to the Report of the Special Master are set for oral argument in due course.
Jan 22 2001	SET FOR ARGUMENT March 19, 2001.
Jan 30 2001	CIRCULATED.
Feb 2 2001	Colorado's reply to brief for the United States in opposition to Exceptions of Kansas and Colorado filed.
Feb 2 2001	Kansas' reply to brief for United States filed.
Feb 27 2001	Motion of the Acting Solicitor General for divided argument filed.
Mar 5 2001	Motion of the Acting Solicitor General for divided argument GRANTED
Mar 7 2001	Kansas Exhibit 1092 and Colorado Exhibit 1253 and list of all exhibits admitted during damage phase of case beginning Nov. 8, 1999 concluded Jan. 28, 2000 received.
Mar 8 2001	Record and exhibits on damages phase of case (7 Boxes) received from Special Master.
Mar 19 2001	ARGUED.
Jun 11 2001	Colorado's exceptions sustained in part and overruled in part; Kansas' exception overruled; and case remanded. STEVENS, J., delivered the opinion of the Court. Opinion by O'CONNOR, J, concurring in part and dissenting in part in which SCALIA and THOMAS, JJ. join.
Jul 11 2001	ORDERED ISSUED.
Jan 30 2003	Motion of Special Master for Interim Fees and Expenses filed.
Feb 12 2003	Motion DISTRIBUTED for Conference of February 28, 2003.
Mar 3 2003	Motion of Special Master for Interim Fees and Expenses GRANTED. The Special Master is awarded a total of $239,652.85 for the period October 16, 2000 through January 17, 2003 to be paid equally by the parties.
Nov 13 2003	Fourth Report of the Special Master received
Nov 19 2003	Report DISTRIBUTED for Conference of December 5, 2003.
Nov 26 2003	Motion for interim fees and expenses for the period January 18, 2003 through November 20, 2003 filed by Special Master.
Dec 8 2003	The Fourth Report of the Special Master is received and ordered filed. Exceptions to the Report, with supporting briefs, may be filed within 45 days. Replies, if any, with supporting briefs, may be filed within 30 days.
Jan 12 2004	Motion for interim fees and expenses for the period January 18, 2003 through November 20, 2003 GRANTED.
Jan 21 2004	Letter from Colorado stating they would not file exceptions
Jan 22 2004	Kansas' Exceptions and Brief filed.
Jan 22 2004	Lodging received from Kansas
Feb 11 2004	Time to file replies to the exceptions to the Report of the Special Master extended to and

	including March 22, 2004 for all parties.
Mar 22 2004	Reply to the Kansas's Exceptions filed by the United States
Mar 22 2004	Reply brief of respondent Colorado opposing the exceptions of Kansas filed.
Apr 27 2004	Motion for leave to file sur-reply filed by plaintiff Kansas.
May 11 2004	Motion DISTRIBUTED for Conference of May 27, 2004.
Jun 1 2004	The motion of Kansas for leave to file a sur-reply is granted. The Exceptions to the Report of the Special Master are set for oral argument in due course.
Jun 1 2004	Sur-Reply filed by Kansas
Jun 10 2004	Motion for divided argument filed by the Solicitor General.
Jun 28 2004	Motion for divided argument filed by the Solicitor General GRANTED.
Jul 23 2004	CIRCULATED.
Aug 22 2004	SET FOR ARGUMENT Monday, October 4, 2004.
Oct 4 2004	Argued. For plaintiff: John B. Draper, Special Assistant Attorney General, Santa Fe, N. Mex. For Colorado: David W. Robbins, Denver, Colo. For the United States: James A. Feldman, Assistant to the Solicitor General, Department of Justice, Washington, D.C.